IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.602 of 2007

Goldie P. Sud — Applicant
Vs.
Peter Michael David & anr. — Respondents

Ms.Veena Thadhani with Mr.Vishal Thadhani for applicant.

Ms.S.V.Gajre, APP for State.

CORAM: B.H.MARLAPALLE, J.

October 15, 2007.

P.C.

. Heard Ms.Thadhani, the learned counsel for the applicant. This is an application under Section 482 of Cr.P.C. praying for quashing C.R. No.32 of 2005 which is converted into C.C. No.929 of 2005 presently pending before the learned Metropolitan Magistrate, Andheri. The same relied was prayed earlier in Criminal Application No.2110 of 2005 which was disposed off by this Court (D.B.Bhosale,J.) on 12/7/2006 on the grounds that the application in view of the decision in the case of State of Kerala Vs. O.C. Kuttan **[(1999) 8 SCC 651]** and the applicant would have alternative efficacious remedy to be exhausted before filing an application under Section 482 of Cr.P.C.

. This is a second application for the very same relief which was denied in Criminal Application No.2110 of 2005. Hence this application cannot be entertained. However, the learned counsel sought time to approach the same learned Judge for restoration of Criminal Application No.2110 of 2005. I do not see any reason to grant said prayer and the law in this regard is well settled.

. The application is rejected with liberty as is available in law.

(B.H.MARL